IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO. 08-041912 (21)

PEDRO DIJOLS, as candidate for the Broward County Judge Circuit Group 3,

Plaintiff/Petitioner.

٧.

MARDI ANNE LEVEY a/k/a MARDI LEVEY COHEN, as candidate for Broward County Judge Circuit Group3, DR. BRENDA C. SNIPES, in her official capacity as Supervisor of Elections for Broward County, Florida, BERNARD ISAAC BOBER, as candidate for Broward County Judge Circuit Group 3, and the BROWARD COUNTY CANVASSING BOARD, which consists of SHARON ZELLER, LINDA PRATT, JACK TUTER, KATHLEEN IRELAND, LEE JAY SEIDMAN, and LOIS WEXLER,

Defendants/Respondents.

#### FIRST AMENDED COMPLAINT

Plaintiff, PEDRO DIJOLS, as candidate for Broward County Judge Circuit Group 3, pursuant to § 102.168, Fla. Stat., and Florida common law, files this action to remove Defendant, MARDI ANNE LEVEY a/k/a MARDI LEVEY COHEN, from the Broward County Judge Circuit Group 3 election ballot and states:

#### Relief Sought and Jurisdiction

- 1. This is an action which seeks to remove and disqualify Defendant, MARDI ANNE LEVEY a/k/a MARDI LEVEY COHEN, as a candidate from the election ballot in Broward County Judge Circuit Group 3 pursuant to § 102.168, Fla. Stat. (2008).
  - 2. Jurisdiction is appropriate in the circuit court pursuant to § 26.012 and

- § 102.168, Fla. Stat. (2008), Article V Section 5(b) of the Florida Constitution and Rule 9.030(c)(3) of the Florida Rules of Appellate Procedure.
- 3. Venue is proper in Broward County, Florida, pursuant to § 47.011, Fla. Stat. (2008) because the cause of action arose in Broward County, Florida.

#### **Parties**

- 4. Plaintiff, PEDRO DIJOLS, was a candidate for Circuit Judge in Broward County, seeking election in Circuit Group 3.
- 5. Defendant, MARDI ANNE LEVEY a/k/a MARDI LEVEY COHEN, is a Candidate for Circuit Judge in Broward County, seeking also election in Circuit Group 3.
- 6. Defendant, DR. BRENDA C. SNIPES ("DR. SNIPES"), is the Supervisor of Elections for Broward County, Florida. DR. SNIPES is responsible for the conduct of elections in Broward County and for carrying out applicable provisions of the Florida Election Code (Chapters 97 through 106, Florida Statutes).
- 7. Defendant, BROWARD COUNTY CANVASSING BOARD, is responsible for certifying election results and conducting statutorily mandated recounts and is an indispensible party to this action pursuant to § 102.168, Fla. Stat. (2008).
- 8. Defendant, Judge SHARON ZELLER, is a member of the BROWARD COUNTY CANVASSING BOARD.
- 9. Defendant, Judge LINDA PRATT, is a member of the BROWARD COUNTY CANVASSING BOARD.
- 10. Defendant, Judge JACK TUTER, is a member of the BROWARD COUNTY CANVASSING BOARD.

- 11. Defendant, Judge KATHLEEN IRELAND, is a member of the BROWARD COUNTY CANVASSING BOARD.
- 12. Defendant, Judge LEE SEIDMAN, is a member of the BROWARD COUNTY CANVASSING BOARD.
- 13. Defendant, LOIS WEXLER, is a member of the BROWARD COUNTY CANVASSING BOARD.
- 14. Defendant, BERNARD ISAAC BOBER, is a candidate for Circuit Judge in Broward County, also seeking election in Circuit Group 3, and as a "successful candidate" in the August, 2008 primary, is an "indispensable party" to this action pursuant to Section 102.168, Fla. Stat. (2008).

#### **Events Giving Rise to this Action**

- 15. In 2005, PEDRO DIJOLS, after a distinguished career as a statewide prosecuting attorney and state attorney, was appointed to the Circuit Bench of the 17<sup>th</sup> Judicial Circuit Court, by then Governor Jeb Bush and has been serving since his appointment in 2005.
- 16. Under the Florida Constitution, PEDRO DIJOLS, as an appointed judge, was required to run for re-election.
- 17. Two candidates elected to enter the race and challenge PEDRO DIJOLS: BERNARD ISAAC BOBER, a Broward County Public Defender; and MARDI ANNE LEVEY, an attorney who practices law under the name "Mardi Levey Cohen" and/or "Mardi L. Cohen."

#### MARDI ANNE LEVEY Failed to Run Under the Name by Which She Conducts Private and Official Business

- 18. Under Florida election law, a candidate is required to run under the name by which he or she transacts private and official business. *See Planas v. Planas*, 937 So. 2d 745 (Fla. 3d DCA 2006), *citing* Division of Election Opinion 86-06 and C.J.S. Elections § 161. MARDI ANNE LEVEY has willfully failed to abide by this requirement, and is in violation of Florida election law.
- 19. MARDI ANNE LEVEY conducts both her private affairs and official business under the name, "Mardi Levey Cohen" and/or "Mardi L. Cohen."
- 20. MARDI ANNE LEVEY worked at the State Attorney's Office from 2002 through 2006. While working at the State Attorney's office, MARDI ANNE LEVEY transacted business as "Mardi L. Cohen." Copies of her Resume, Employment Application, Commitment to Employ, Oath of Loyalty, and Letter of Resignation are attached hereto as composite Exhibit "A."
- 21. Moreover, copies of her W2 forms for the years 2002, 2003, 2004, 2005 and 2006, attached hereto as composite Exhibit "B," conclusively demonstrate that MARDI ANNE LEVEY transacted her private affairs and official business as "Mardi L. Cohen."
- 22. After leaving the State Attorney's Office, MARDI ANNE LEVEY went into private practice, practicing as "Mardi L. Cohen," and naming her firm "Law Office of Mardi L. Cohen, P.A." A print out of her firm's website and its 2008 Annual Report is attached hereto as composite Exhibit "C."
- 23. MARDI ANNE LEVEY's social security card, a copy of which is attached hereto as Exhibit "D," reads "Mardi L. Cohen."

- 24. In 2006, COHEN ran unsuccessfully for Circuit Court Judge under the name "Mardi Levey Cohen." A print out of the 2006 Candidate Tracking System and a copy of a mailing from her unsuccessful 2006 campaign are attached as composite Exhibit "E."
- 25. Computer searches of websites such as Google, Yahoo, Broward County Public Records, and State of Florida-Official Records provide no indication that MARDI ANNE LEVEY has used her maiden name, "Levey," since her marriage to her husband Judge Dale Cohen over twenty years ago.
- 26. MARDI ANNE LEVEY did not file a petition to change her name prior to entering the race for the Group 3 judicial seat. A copy of the Certificate of the Clerk verifying this information is attached as Exhibit "F."
- 27. In the current issue of the Florida Bar Journal, as well as on the Florida Bar Website, the name MARDI ANNE LEVEY is not listed. Copies from the Florida Bar Journal, the Florida Bar Website, and her Florida Bar membership card are attached as composite Exhibit "G." Mardi Levey Cohen is listed in the Florida Bar Journal at the address used by MARDI ANNE LEVEY for this election. See Exhibit "H".
- 28. Notwithstanding the fact that MARDI ANNE LEVEY conducted her private affairs and official business as "Mardi L. Cohen" or "Mardi Levey Cohen" for over twenty years, she appeared on the August 2008 ballot as "MARDI ANNE LEVEY," as demonstrated on the print out of the 2008 Candidate Tracking System, attached hereto as Exhibit "H."

29. The candidate has a valid Florida driver's license under the name of Mardi Levey Cohen as evidenced by the printout from the State of Florida – Department of Highway Safety and Motor Vehicles attached hereto as Exhibit "I".

#### Procedure Regarding Recount of August 2008 Election Results

- 30. After the initial election results, BERNARD ISAAC BOBER came in first, receiving approximately 38% of the votes. The race for second, however, was extremely close. PEDRO DIJOLS and MARDI ANNE LEVEY both received approximately 30% of the votes. The "unofficial" vote count revealed that only 111 votes separated the two candidates.
- 31. Because the 111 vote difference between PEDRO DIJOLS and MARDI ANNE LEVEY resulted in a victory of less than ½ of 1%, a mandatory recount was conducted in accordance with § 102.141(7), Fla. Stat. on Saturday, August 30, 2008.
- 32. The results of the mandatory recount on Saturday August 30, 2008 dictated that a manual recount be performed in accordance with § 106.166(1), Fla. Stat. on Sunday, August 31, 2008.
- 33. Section 102.166(5)(a), Fla. Stat., provides the procedures by which the county canvassing board and parties must follow during the manual recount process. Under the statute, the county canvassing board appoints counting teams of at least two electors who are joined by the candidates' representatives. In addition, the statute prohibits a candidate from being a member of the counting team. The Code of Judicial Conduct prohibits a sitting judge from endorsing any candidate. Canon 7 (A)(1)(b) of the Code of Judicial Conduct.

#### Impropriety Surrounding the Recount

- 34. MARDI ANN LEVEY attended the first stage of the recount at the Broward County Supervisor of Election's Office. She did not record her appearance as MARDI ANNE LEVEY. Instead, on the sign-in sheet, she recorded her appearance under the name "Mardi Cohen," but identified herself as "candidate." A copy of the August 30, 2008, sign-in sheet is attached as Exhibit "J."
- 35. The candidate on the ballot, however, was "Mardi Anne Levey," not "Mardi Cohen." The candidate's confusion regarding her own name is highly indicative of the confusion among the voters of Broward County as to who was actually running for the Group 3 judicial seat.
- 36. MARDI ANNE LEVEY'S husband, Dale Cohen, a circuit court judge in Broward County, joined her and recorded his appearance on the sign-in sheet as "Judge." See Exhibit "J."
- 37. On August 31, 2008, MARDI ANNE LEVEY and her husband attended the second stage of the recount proceedings the manual recount. This time, Judge Dale Cohen, signed in as an "observer." A copy of the August 31, 2008, sign-in sheet is attached as Exhibit "K." MARDI ANNE LEVEY did not list her appearance as "Mardi Cohen" as she did the previous day, but signed in as "Mardi Levey." She did not identify herself as a candidate.
- 38. During the manual recount proceedings, Judge Dale Cohen improperly participated in the proceedings as an observer for the Defendant, MARDI ANNE LEVEY, a/k/a MARDI L. COHEN, by sitting before the counting team as they reviewed the ballots deemed questionable. Furthermore, he Judge Cohen sat before the canvassing

board during their review of contested or questionable ballots. This impropriety was further exacerbated by the fact that two of the three members of the canvassing board reviewing the ballots are colleagues of Judge Dale Cohen as sitting county court judges in the 17<sup>th</sup> Judicial Circuit and again Judge Cohen acted as the designated observer during the process before the canvassing board.

- 39: Although not a candidate in the election, as a sitting Broward County circuit court judge, Judge Dale Cohen's participation in the manual recount proceedings was in direct violation of Canon 7 (A)(1)(b) of the Code of Judicial Conduct, which prohibits a sitting judge from publicly endorsing another candidate for office. It is also a violation of Canons 2(A) and 2(B) which require that a judge promote the impartiality of the judiciary and not let familial relationships influence the judge's conduct. There is also a strong indicia of misconduct on the part of the candidate, MARDI ANNE LEVEY, who was present in the public audience while her husband, Judge Cohen, was observing the canvassing board review of contested ballots.
- 40. Judge Dale Cohen's participation in the recount is not the only instance where MARDI ANNE LEVEY has misused the power of her husband's office for personal gain. "Mardi Levey Cohen" has recently been the subject of a Florida Bar investigation for alleged violations of the Rules Regulating the Florida Bar regarding her inclusion of a picture of her husband, Judge Dale Cohen, in his judicial robe on her firm website in an effort to advertise her law practice. See Report of Minor Misconduct attached hereto as Exhibit "L."
- 41. This matter is currently pending and undoubtedly prompted MARDI ANNE LEVEY to change her name on the ballot in an effort to avoid public scrutiny.

#### The Results

- 42. The manual recount resulted in BERNARD ISAAC BOBER receiving 36,729 votes (38.32%), MARDI ANNE LEVEY receiving 29,599 votes (30.88%) and PEDRO DIJOLS receiving 29,527 votes (30.80%). The canvassing board thereafter certified the election results.
- 43. Plaintiff, PEDRO DIJOLS, lost the second position and the right to participate in the November run off by 72 votes. In accordance with the Florida Constitution, MARDI ANNE LEVEY is slated to face BERNARD ISAAC BOBER in the general election in November. However, MARDI ANNE LEVEY must be removed from the November ballot due to her intentional violation of Florida election law and her willful deception of the voters of Broward County.
- 44. MARDI ANNE LEVEY's improper use of her husband's office is also grounds to invalidate the election results. Rather than acting as a neutral, disinterested party, as is required by Canon 7 (A)(1)(b) of the Code of Judicial Conduct, Judge Dale Cohen participated in the manual recount proceedings by acting as an observer during his colleague's screening of "over and under votes" and as an observer on behalf of his wife, Mardi Anne Levey (not Marty Cohen), before the BROWARD COUNTY CANVASSING BOARD.
- 45. If MARDI ANNE LEVEY was not permitted to be on the ballot due to her violation of election law, or if her actual name, "Mardi Levey Cohen" or "Mardi L. Cohen," was on the ballot, the election results undoubtedly would have been different.

#### Count I - Violation of § 102.168(b), Fla. Stat.

- 46. Plaintiff, PEDRO DIJOLS realleges and reavers paragraphs 1 through 45 as though fully set forth herein.
- 47. Under § 102.168, an election may be contested by an unsuccessful candidate also running for the same position if he or she establishes one or more of the following:
  - (a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election;
  - (b) Ineligibility of the successful candidate for the nomination or office in dispute;
  - (c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election;
  - (d) Proof that any elector, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question submitted by referendum.

#### § 102.168(3)(a)-(b).

- 48. MARDI ANNE LEVEY engaged in misconduct by appearing on the August ballot as "MARDI ANNE LEVEY" and not as "Mardi Levey Cohen" or "Mardi L. Cohen," which is the name by which she transacts private and official business.
- 49. MARDI ANNE LEVEY further engaged in misconduct by misusing the office of her husband, Judge Dale Cohen, in having him participate in the statutorily mandated recount conducted on August 30, 2008 and the statutorily mandated manual recount on August 21, 2008, in violation of the Code of Judicial Conduct.

50. Moreover, MARDI ANNE LEVEY was ineligible to run for the Group 3 judicial seat as that is not the name by which she transacts private and official business.

WHEREFORE, the Plaintiff, PEDRO DIJOLS, respectfully requests that this Honorable Court enter an Order:

- A. Finding that Defendant, MARDI ANNE LEVEY, while seeking election in Circuit Group 3, adopted a name by which she has not transacted private and official business;
- B. Finding that Defendant, MARDI ANNE LEVEY, by adopting a name by which she has not transacted private and official business, has not acted in good faith and for honest purposes;
- C. Finding that Defendant, MARDI ANNE LEVEY, is disqualified from candidacy in Circuit Group 3;
- D. Instructing Defendant, DR. BRENDA C. SNIPES, to remove Defendant,
   MARDI ANNE LEVEY, as a candidate in Circuit Group 3;
- G. Granting such further relief as this Court deems just, reasonable and proper.

#### Count II - Petition for Writ of Mandamus

- 51. Petitioner, PEDRO DIJOLS, realleges and reavers paragraphs 1 through 45 as though fully set forth herein.
- 52. Pursuant to Rule 9.100, PEDRO DIJOLS, respectfully petitions this court for a writ of mandamus (1) compelling DR. SNIPES and/or the BROWARD COUNTY CANVASSING BOARD to take MARDI ANNE LEVEY off the November 2008 ballot, and (2) compelling the BROWARD COUNTY CANVASSING BOARD to recertify the

WHEREFORE PEDRO DIJOLS seeks a writ of mandamus compelling to DR.

BRENDA SNIPES and/or the BROWARD COUNTY CANVASSING BOARD to remove MARDI ANNE LEVEY as a candidate in the Group 3 election in November 2008.

#### Count III - Action for Declaratory Judgment

- 56. Defendant, PEDRO DIJOLS realleges and reavers paragraphs 1 through 45 as though fully set forth herein.
- 57. This is a declaratory action pursuant to §§ 86.011 et seq. There is a bona fide, actual, present practical need for the declaration PEDRO DIJOLS seeks.
- 58. PEDRO DIJOLS seeks a declaration as to his rights, status, powers, and privileges with respect to the actions of MARDI ANNE LEVEY.
- 59. Specifically, PEDRO DIJOLS seeks to obtain a declaration from this Court that MARDI ANNE LEVEY is not a properly qualified candidate for the Group 3 judicial seat based on her violation of Florida election law by running under a name by which she does not transact either private or official business
- 60. The declaration sought pertains to a present, ascertainable state of facts or controversy involving those facts.
- 61. PEDRO DIJOLS has an actual and present interest in the subject matter of this action as MARDI ANNE LEVEY secured the second and only remaining seat for the for the Group 3 judicial seat election in November 2008. Had MARDI ANNE LEVEY not secured this seat, it would have secured by PEDRO DIJOLS.
- 62. The parties having an actual or adverse interest in the subject matter of this action are parties herein.

WHEREFORE PEDRO DIJOLS seeks a writ of mandamus compelling to DR. BRENDA SNIPES and/or the BROWARD COUNTY CANVASSING BOARD to remove MARDI ANNE LEVEY as a candidate in the Group 3 election in November 2008.

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- 62. The parties having an actual or adverse interest in the subject matter of this action are parties herein.

- 63. PEDRO DIJOLS is in need of a declaration as to whether MARDI ANNE LEVEY violated Florida election laws, and thus his rights, status, immunities, powers and/or privileges relative to the primary election for the Group 3 judicial seat.
- 64. PEDRO DIJOLS is entitled to have all issues resolved as to his rights, status, immunities, powers, and/or privileges pursuant to Florida election law relative to the Group 3 judicial election.

WHEREFORE, Plaintiff PEDRO DIJOLS requests entry of a declaratory judgment that Defendant MARDI ANNE LEVEY is not a properly qualified candidate for the Group 3 election seat, grant a hearing pursuant to Chapter 86 of the Florida Statutes, as well an award of costs and such further relief as this Court deems just and proper.

#### Count II - Petition for Writ of Quo Warranto

- 65. Petitioner, PEDRO DIJOLS, realleges and reavers paragraphs 1 through 45 as though fully set forth herein.
- 66. Pursuant to rule 9.100, PEDRO DIJOLS, respectfully petitions the court for a writ of quo warranto directed to the Respondents, DR. BRENDA SNIPES and the BROWARD COUNTY CANVASSING BOARD.
- 67. This Court has jurisdiction to issue a writ of quo warranto under Article V section 5(b) of the Florida Constitution, and rule 9.030(c)(3) of the Florida Rules of Appellate Procedure. It "is available for the purpose of determining the title or right to a public office and to oust an incumbent who has unlawfully usurped or intruded into the office or is unlawfully holding it." See Maloney v. Kirk, 212 So. 2d 609, 618 (Fla. 1968).

- 68. Because MARDI ANNE LEVEY has violated election law and has used her husband's office for an improper purpose, she has unlawfully usurped or intruded into the November 2008 run off, and Petitioner, PEDRO DIJOLS, is rightfully entitled to be a candidate in the Group 3 judicial election in November 2008.
- 69. For these reasons, PEDRO DIJOLS respectfully submits that the court should issue a writ of quo warranto.

WHEREFORE PEDRO DIJOLS seeks a writ of quo warranto removing Respondent, MARDY ANNE LEVEY, as a candidate in the Group 3 election in November 2008.

Respectfully Submitted,

CONRAD & SCHERER, LLP

Counsel for Plaintiff

633 South Federal Highway

Fort Lauderdale, FL 33301

Telephone: Facsimile:

(954) 462-5500 (954) 463,9244

WILLIAM R. SCHERER, JR.

Florida Bar No. 169454

-and-

BRUCE S. ROGOW

500 E. Broward Blvd. - Suite 1930

Fort Lauderdale, FL 33394 Telephone: (954) 767-8909

Facsimile: (954) 764-1530

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#### Mardi L. Cohen, Esq.

Education

1979 – 1983 University of Florida, Gainesville, FL Bachelor of Science in Psychology

1984-1986 University of Florida, College of Law Juris Doctor Degree

 Professional experience 1990 - Present Law Offices of Dale C. Cohen Ft. Lauderdale, Florida Attorney-At-Law

- General criminal defense trial practice.
- · Prepared appeals in civil and criminal cases.
- Appointed Special Public Defender in several appeals.
- Collections.

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1987-1989) Florida Attorney General's Office West Palm Beach, FL Assistant Attorney General, Criminal Appeals Division

-iPrepared briefs, motions and oral arguments for criminal appeals in all state and federal courts.

1986-1987 Boose, Casey, Ciklin, et al,

West Palm Beach, FL

#### Clerkship

- Researched and prepared memoranda on legal issues.
- Provided trial support.
- Admitted to Practice
- US District Court, Southern District of Florida
- US Court of Appeals, Eleventh Circuit
- Community involvement

Served as a board member for the following community service organizations:

National Council of Jewish Women, Weston Section, 1994 - 1998

Central Park Elementary School, Parent Teacher Association, 1998-present

Plantation Middle School, School Advisory Council, 2000 - present

Plantation Middle School, School Advisory Forum, 2000 - present





STATE OF PIONIDA

## EMP" DYMENT **APPLICATION**

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List KSAs you possess and believe relevant 's position you seek, such as operating heavy equipme source	ne nicillo. Atronocci a dans	
Practicing attacked for 14 years	er skills, fluency in lar	
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EVENDTION FROM DIDLIO DECORDE DICOLOGICA		hate and the second
EXEMPTION FROM PUBLIC RECORDS DISCLOSURE		
ARE YOU A CURRENT OR FORMER LAW ENFORCEMENT OFFICER, OTHER EMPLOYEE** OR THE SPOUSE OR CHILD OF ONE, WHO IS EXEMPT FROM PUBLIC RECORDS DISCLOSURE UNDER §119.07, F.S.?	YES	IDNO
*Other covered Jobs include: correctional artii correctional probation officers, firefighters, certain judges, assistant state statewide prosecutors, personnel of the Department of Revenue or local governments whose responsibilities include rev support enforcement, and certain investigators in the Department of Children and Families [see §119.07, F.S.].	attomeys, state sito venue collection and	rneys, assistant and enforcement or child
BACKGROUND INFORMATION		
HAVE YOU EVER BEEN CONVICTED OF A FELONY OR A FIRST DEGREE MISDEMEANOR?  If "YES", what charges?	☐ YES	ZNO
And the second s	γ	
HAVE YOU EVER PLED NOLO CONTENDERE OR PLED GUILTY TO A CRIME WHICH IS A FELONY OR A FIRST DEGREE MISDEMEANOR?	YES	IDNO
If "YES", what charges?		****
Where? Date:	т.	
HAVE YOU EVER HAD THE ADJUDICATION OF GUILT WITHHELD FOR A CRIME WHICH IS A FELONY OR A FIRST DEGREE MISDEMEANOR?	YES	<b>M</b> NO
If "YES", what charges?		
Where? Date:		
NOTE: A "YES" answer to these questions will not automatically bar you from employment. The nature, job-relatedness, s the position for which you are applying are considered.		
CITIZENSHIP		
The State of Florida hires only U.S. citizens and lawfully authorized allen workers. If a conditional offer of employment is m dentification and proof of citizenship or authorization to work in the U.S.	rade, you will be requ	Jired to provide
ARE YOU A U.S. CITIZEN OR ARE YOU LEGALLY AUTHORIZED TO WORK IN THE U.S.?	YES	<b>W</b> NO
RELATIVES		
O YOUR KNOWLEDGE, DO YOU HAVE ANY RELATIVES WORKING IN THIS AGENCY?	· YES	ENO
ELECTIVE SERVICE SYSTEM REGISTRATION		
Il males between the ages of 18 and 26 must be registered with the Selective Service System or exempted.		
YOU ARE A MALE BETWEEN THE AGES OF 18 AND 26, DO YOU HAVE PROOF OF REGISTRATION ITH THE SELECTIVE SERVICE SYSTEM OR EXEMPTION FROM SUCH REGISTRATION?	YES	□ио
CERTIFICATION	-	
am aware that any omissions, falsifications, misstatements, or misrepresentations above may disqualify me for indeed, may be grounds for termination at a later date. I understand that any information I give may be investigated as allowed by about my ability, employment history, and titness for employment by employers, schools, law enforcement agencies, at needing the property of the state of the state government for employment purposes. This converting the property of the state employment if I am hired. I understand that applications submitted for state employment are public records except as expressing the statements contained herein and on any attachments are true, correct, complete, and	y law. I consent to the and other individuals onsent shall continue	release of information and organizations to to be effective during
GIGNATURE: MACALLA DATE.	11/30/01	



#### MICHAEL J. SATZ STATE ATTORNEY

SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA

BROWARD COUNTY COURTHOUSE

201 S.E. SIXTH STREET

FORT LAUDERDALE, FLORIDA 33301-3360

PHONE (954) 831-6955

February 22, 2002

Mardi L. Cohen

RE: COMMITMENT TO EMPLOY

Dear Ms. Cohen:

This letter is to offer you a position as an Assistant State Attorney with this office to commence employment on March 1, 2002.

As an Assistant State Attorney in our County Court Unit, you will be remunerated in the amount of Thirty-five thousand nine hundred and thirty-one dollars (\$35,931.00) with a three month probationary period.

Please be advised, that inherent in your acceptance of this offer is your agreement to a three (3) year commitment with this office.

If this is acceptable to you, kindly execute the original copy of this letter on the signature line and return it to this office to my attention.

We look forward to a mutually rewarding and satisfying working relationship.

Sincerely

RALPH J. RAY, JR.

Chief Assistant State Attorney

RJR, Jr.: vbp

Offer of Commitment Accepteds.

#### OATH OF LOYALTY

STATE OF FLORIDA
COUNTY OF Broward

I, Mardi L. Cohen, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the State Attorney and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

Signature

ide A. Chen

and who dld take this oath.

Commission Expires:

## Mardi Q. Cohen

April 16, 2006

Mr. Michael J. Satz State Attorney Seventeenth Judicial Circuit of Florida 201 S.E. 6<sup>th</sup> Street Fort Lauderdale, FL 33301

Dear Mr. Satz,

I am writing to you today to officially tender my resignation from the Broward County State Attorney's Office effective April 30, 2006.

I do so with great sadness as I never thought that I would leave such a great office. Nonetheless, I have reached a crossroads in my life and must take over my husband's private practice due to his appointment to the bench.

I cannot say enough wonderful things about the State Attorney's Office, about the people I have worked with in my years of service to the county, and especially about the professional manner in which you have led this office. Through my experiences at the State Attorney's Office I have gained both personally and professionally and for this I will always be indebted to you and to this office. It is my hope that we will stay in touch as I begin this new chapter in my life.

Sincerely,

Mardi L. Cohen

Kardi L. Char

A Control Number Payroll ORG CODE Intradept No 7760 01/08 21-50-17-7 900 0000002000 B. Employers 1 Minimber	1 Wages, Tips: Other Compans 29,865.93	2 Federal Income Tex Withheld 3,170.60	
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Tom Gallagher, Chief Financial Officer 200 E Gaines Street	5 Medicare Wages and Typs . 29,865,95	6 Medicare Yex Withheld 433.06	
Tallahassee, Florida 32399 – 0356	7 Social Security Tips	8 Allocated Tips	
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WAGE AND TAX 2002	Dept. of the Treasury	OMB NO 1545-000 – Internal Revenue Service	

**STATEMENT** Copy B To Be Filed With Employee's FEDERAL Tax Return

This information is being furnished to the internal Revenue Service

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**WAGE AND TAX STATEMENT** 

2002

Copy C For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B) AA 227 Rev 11/18/2002

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Tom Gallagher, Chief Fina 200 E Gaines Street	ncial Officer	5 Medicare wages and lips 38,634.84	6 Medicere lax withheld 560.21
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W-2 WAGE AND	TAX: 2003		OMB NO. 1545 - 0008

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This information is being furnished to the Internal Revenue Service

Dept. of the Treasury - Internal Revenue Service

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AA327 Rev. 09/26/2003

This information is being furnished to the inferior Revenue Service. If you are required to file a tax return, a negligence penalty or other temperon may be imposed on you if this income is taxable and you fail to report it.

Dept. of the Treasury – Internal Revenue Service

A Control number   Peyical organization coor   Intradepartment number   8430   01/13   21-50-17   -000   0000002000			
B Employers demikablon number	1 Weges, lips, other con on 43,954.00	2 Federal income tex withheld 4,771.60	
C. Employers name, address, and zip codo State of Florida	3 Social security wages 43,954.60	4 Social security tax withheld 2,725.19	
Tom Gallagher, Chief Financial Officer 200 E Gaines Street	5 Medicare wages and thes 43,954.60	6 Medicare tax withheld 637.34 8 Allocated tips	
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Dept. of the Treasury - Internal Revenue Service

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A427 Rev 09/15/2004

This information is being furnished to the Infernal Revenue Service. If you are required to file a fax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fall to report it.

Dept. of the Treasury – Internal Revenue Service.

# Control number   Payroll organization code   Intradepartment numb	¢1	
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C Employer's name, address, and zip code State of Florida	3 Social security wages 48,563.35	4 Social security tax withheld 3,010.93
Tom Gallagher, Chief Financial Officer 200 E Gaines Street	5 Medicate wages and tips 48,563.35	6 Medicare tax withheld 704.17
Tallahassee, Florida 32399 – 0356	7 Social security tips	8 Allocated tips
D (amployee's social security number	9 Advance EIC payment	10 Dependent care benefits
E Employae's last name, mi, and last name	11 Nonquelified plans	12A See instruction for box 12 C   56.71
MARDI L COHEN	13 Statutory Retriement 3rd-Party employee plan sick pay	128 12C
	125 214.56	120
F Employee's address and zip code 15 State Employer's state to number 16 State wages, ups, etc. 17 State i	ncome tax 18 Local wages, tips, etc. 19 L	ocal income tax 20 Locality name
W-2 WAGE AND TAX 2005	Dept. of the Treasury	CMB ND 1545-0008

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This information is being furnished to the internal Revenue Service

A Control number   Payroli organization code   Intradepartment number   8982   01/12   21-50-17-03-000   0000002000						
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W-2 WAGE AND TAX 2005		OMB NO 1545 - DOS shed to the Internal Revenue Serince If you				

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Copy C For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B) AA527 Rev 09/21/2005

This information is being furnished to the internal Revenue Serince If you are required to file a tax return, a negligence panalty or other sanction may be imposed on you if this income is taxable and you tail to report if

Dept. of the Treasury - Internal Revenue Service

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Copy B To Be Filed With Employee's FEDERAL Tax Return
This information is being furnished to the Internal Revenue Service

intradepartment numb Payroll organization code A Control number 0000002000 21-50-17-03-000 9325 01/11 Wages, tips, other compensation 20,040.08 2 Federal income lax withheld 2, 441.34 B Employer's identification number 4 Social security tax withheld 3 Social security wages 20,040.08 C Employer's name, addiess, and zip code 1,242.48 State of Florida 6 Medicare lax withheld 5 Medicare wages and lips Alex Sink, Chief Financial Officer 20,040.08 290.58 200 E Gaines Street 7 Social security lips 8 Altocated tips Tallahassee, Florida 32399 - 0356 10 Dependent care benefits 9 Advance EIC payment D Employee's social security number 12A See instruction for box 12 É Employae's brst name, un, ... to lost name 11 Nonqualified plans 34.80 С 31d Party 13 Statutory sick pay MARDI I COHEN 125 71.52 F Employee's address and top code 16 Local wages, tips, etc. 19 Local income tax 12 State income tax il State wages, tops, etc. OMB NO, 1545 - 0008 WAGE AND TAX 2006

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Copy C For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B)
AA627 Rev 11/30/2006

This information is being jumished to the Internal Revenue Service. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fall to report it

Dept. of the Treasury - Internal Revenue Service





# 20 YOUNS of Trial and Appellate Practice in Criminal Law

Have you been accused of a crime in South Florida? The Law Office of Mardi L. Cohen, P.A. defends and protects those accused in either State or Federal Court by providing experienced, knowledgeable and aggressive legal counsel in criminal matters.

#### ECONTACT INCOMENTOR

Main office location -600 S. Andrews Avenue, Suite 600 Ft. Lauderdale, FL 33301 Tel: 954-476-9100

Second location -7805 S.W. 6th Court Plantation, FL 33324 (located in the Frank, Black & Weinberg Building) Tel: 954-476-9100

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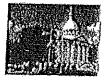
Handling all Criminal matters in both State and Federal Courts Criminal Defense Trial and Appellate experience for 20 plus years



**<u>DUI & Traffic</u>** Critical questions about your DUI arrest



Important Factors
in Hiring a Lawyer
Hire a lawyer who has
extensive experience
in DUI and criminal
trial matters.



About The Firm Learn more about the firm's areas of practice



Questions a Lawyer Should Never Ask in Court Humorous and true questions some lawyers have asked in court.

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#### 2008 FOR PROFIT CORPORATION ANNUAL REPORT

SIGNATURE:

#### Apr 04, 2008 8:00 am Secretary of State DOCUMENT # P06000063319 04-04-2008 90022 026 \*\*\*150.00 LAW OFFICE OF MARDI L. COHEN, P.A. Principal Place of Business Mailing Address 40059001 600 S. ANDREWS AVE **600 S. ANDREWS AVE** SUITE 600 SUITE 600 FORT LAUDERDALE, FL 33301 FORT LAUDERDALE, FL 33301 3. Mailing Address 2. Principal Place of Rusiness - No P.O. Box 8 Suite, Apt. K, etc. Suite, Apt. #, etc. 04022008 CR2E034 (12/06) Chq-P City & State City & State 4. FEI Number Applied For 11-3778327 Not Applicable Country Zip \$8.75 Additional 5. Conflicate of Status Desired Fee Required 7. Name and Address of New Registered Agent 6. Name and Address of Current Registered Agent Name COHEN, MARDI L Street Address (P.O. Box Number is Not Acceptable) PHANTATION, FL 90024 SUITE GOO T. Lauderdale, Fi. Cliy Zio Code 8. The above named entity submits this statement for the purpose of changing its registered office or registered agant, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent. INOTE Bandtane About sondura uniden wine construction 9. Election Compalgo Financing FILE NOWIII FEE IS \$160.00 After May 1, 2008 Fee will be \$550.00 \$5.00 May Be Trust Fund Contribution. П OFFICERS AND DIRECTORS ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 11 10. 11. TALE PD Defete me Change Datollion 600 5. Andrews Ave., Ste. 600 COHEN, MARDI L HAME HAME CTREET ADDRESS STREET ADDRESS 7805 SW 5TH COURT PLANTATION, FL 33324 CHY-ST-ZIP C(1Y+S)+21P Defete MILE TITLE NAME NAME STREET AUXIRESS STREET ADDRESS DITY-81-ZIP CHY-SI-NP ☐ Delete TITLE [] Change Addition HILE NALIF NAME STREET ADDRESS STREET ADDRESS CITY-\$1-21P CITY-ST-TIP Delete TITLE Change Addition THE NAME RALE STREET ADDRESS STREET ADDRESS CITY-SI-TIP CITY-ST-7IP Change Addition D Delete 7111 C TALE RAME HAME STREET ATIORESS STREET ADORESS CITY-\$7-ZIP CAY+ST-21F Ollippy [ Change Dolete TITLE TITEE NAME STREET ADDRESS STREET ADDRESS CRY-\$1-21P 12. Thereby certify that the information supplied with this litting does not qualify for the examptions contained in Chapter 119. Florida Statutes, I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall be on the same logal effect as it made under oath; that I am an officer or director of the corporation or the receiver or truttee amproved to execute this report as required by Chapter 607. Florida Statutes; and that my name appears in Block 10 or Block 11 it changed, or on an attachment with an example of the proposed.

FILED

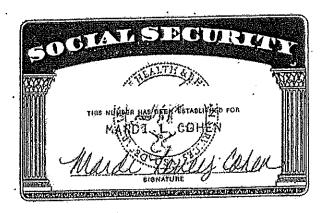


EXHIBIT D

### Candidate Tracking System

#### 2006 General Election

Circuit Judge Circuit 17 Group 58

#### Mardi Levey Cohen

Address

7805 SW 6th Court Plantation, FL 33324

Phone:

Campaign Treasurer

Sheri Schultz 1000 South Pine Island Road, Suite 440

Plantation, FL 33324

Status: Defeated

Date Filed: 06/26/2006

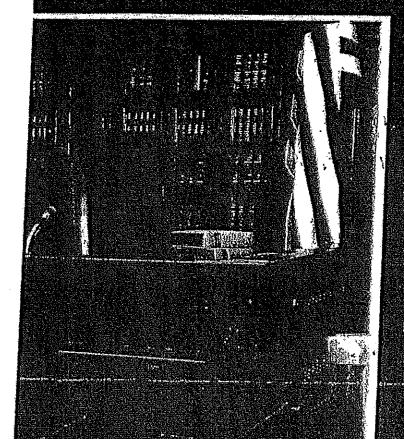
Date Qualified: 07/18/2006

Method:

Campaign Finance Activity



# TARDELEVEY GOHEN...



The RIGHT
Experience
to Fill
This Chair

for Circuit Court Judge Group 58

Welfingoon ion: IL 83824

Uhrschied für EUS Hause HEIL HULBUREHRIE Privining sei

# IN THE CIRCUIT COURT OF THE 17th JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

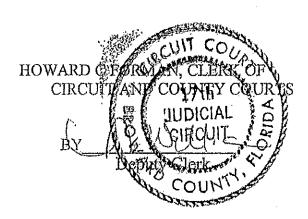
# STATE OF FLORIDA) SS COUNTY OF BROWARD) SS

#### CERTIFICATE OF THE CLERK

I hereby certify that a search of the records under my custody and control has been made for the period of Aug 2004\_\_ to \_\_9-02-08\_, and that said records fail to disclose any Civil/Family actions in this court.

Mardi Levey Cohen

DATED THIS 3rd DAY OF September 2008

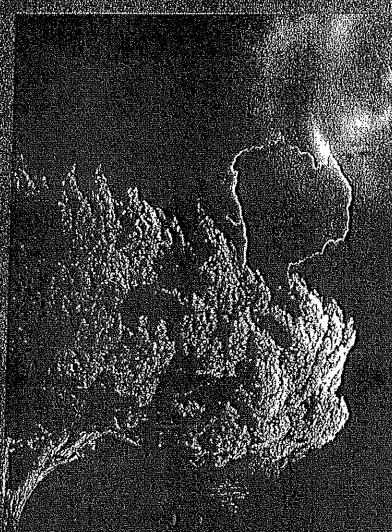




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Inside

Bar Staff Contacts

Membership/Roster

. Inactive Roster

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EXHIBIT

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#### Mardi Anne Levey

Address

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Campaign Treasurer

Allison L. Friedman 3330 NW 53rd Street Fort Lauderdale, FL 33309-

Status: Qualified

Date Filed: 05/01/2008

Date Qualified: 05/02/2008

Method: Paid Qualifying Fee

Campaign Finance Activity



#### STATE OF FLORIDA

#### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES DIVISION OF DRIVER LICENSES TRANSCRIPT OF DRIVER RECORD

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## IN THE SUPREME COURT OF FLORIDA (Before a Grievance Committee)

THE FLORIDA BAR,	and the second s
Complainant,	
ν.	TFB File No. 2008-90,161(028)
MARDI LEVEY COHEN,	
Respondent.	

#### REPORT OF MINOR MISCONDUCT

- I. <u>Committee Recommendation</u>: Pursuant to Rule 3-7.4(m), the committee recommends that you receive an admonishment. By accepting this admonishment, respondent is required to attend The Florida Bar's advertising workshop within 6 months of acceptance of this report and shall obtain pre-publication review and approval of all future advertisements for 1 year following the recommendation. All future advertisements must be submitted to The Florida Bar Standing Committee on Advertising prior to dissemination and must be approved before dissemination may occur. Administration of the admonishment shall be service of this Report.
- II. Summary of the Minor Misconduct: Ms. Cohen published a website for her firm that showed a picture of her husband, who is a judge in the same county in which she practices, dressed in his judicial robes. This picture was displayed as part of rotating photographs immediately under the heading "Law Offices of Mardi L. Cohen, P.A.," giving the distinct impression that the judge was a part of the firm or that respondent's firm had some particular connection with the judiciary. Respondent indicated that her website was for use by existing clients only, was not used to solicit clients, and that her website would not readily appear in a Google search. However, a Google search easily retrieved links to her website, which was misleading in violation of Rule 4-8.4(c) and improperly implied an ability to influence a government official, a member of the judiciary in violation of Rule 4-8.4(e).
- III. Recitation of Facts and/or Comment on Mitigating. Aggravating or Evidentiary Matters: Respondent has no prior discipline, but the committee had concerns regarding respondent's answers to the Bar's questions which appeared at odds with information available to the public on her website.



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- IV. Admonishment: Mardi Levey Cohen, your conduct has violated the Rules Regulating The Florida Bar. Pride in your profession demands that you not violate the Rules of Professional Conduct again. If you do, your present misconduct will be considered in future disciplinary proceedings.
- V. Costs: The cost of these proceedings is assessed against Respondent as follows:

Administrative Costs

\$ 1,250.00

TOTAL

1,250.00

Costs shall be due The Florida Bar within 30 days from acceptance of this report. If you do not pay the costs within 30 days after the report becomes final, you will be declared a delinquent member pursuant to Rule 1-3.6 and will become ineligible to practice law in Florida.

- VI. Fees: The respondent shall pay the fee of \$750.00 for the Advertising Workshop.
- VII. <u>Committee Vote</u>: A duly authorized committee, in accordance with Rule 3-7.3(g), voted in favor of the recommendation stated in item I above. This vote does not include the vote of the lawyer investigating member, who by rule is not allowed to vote. In accordance with Rule 3-7.4(g), the committee reports the number of committee members voting for, or against, this report as follows:

In favor of the report 5
Against the report 0
1 abstaining

Dated this 22md day of July , 2008

James E. Keim, Chair

Statewide Advertising Grievance Committee

I HEREBY CERTIFY that the original of the Report of Minor Misconduct regarding TFB File No. 2008-90,161(02S) was sent to Bar Counsel by regular U.S. Mail, this \_\_\_\_\_\_\_ day of

<u>July</u>, 2008.

James E. Keim, Chair